



Atty Dkt No. 9001-0042.01  
PATENT

1649

#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Patent Application of:

Barker et al.

Serial No.: 10/074,152

Filing Date: February 11, 2002

Title: IMMUNOLOGICAL METHODS TO MODULATE MYOSTATIN IN  
VERTEBRATE SUBJECTS

**REQUEST FOR WITHDRAWAL AS ATTORNEY  
(37 C.F.R. 1.36 AND 37 C.F.R. 10.40(c))**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attn: Director, Group ????

Sir:

The undersigned, a principal attorney of record signing on behalf of **ALL** attorneys of record pursuant to MPEP §402.06, respectfully requests permission for all attorneys of record to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. 1.36.

The basis for this request for withdrawal is 37 C.F.R. 10.40(c)(1)(vi). In particular, our client has failed to provide full payment for invoices dating back to February 2002.

A response to the Notice to File Corrected Application Papers was filed June 10, 2002.

Please change the correspondence address and direct all future correspondence to:

Ronald L. Stotish  
Vice President, Research & Development  
MetaMorphix International, Inc.  
8510A Corridor Road  
Savage, MD 20763  
Phone: (301) 617-9080  
Fax: (301) 617-9075.

APPROVED


*[Signature]*  
SPR, TC 1600  
1/16/03

In accordance with 37 C.F.R. 10.40(a), a copy of this request is being sent to the client. A copy of our letter to the client is attached.

This request is enclosed in triplicate in order to expedite handling thereof.

Respectfully submitted,

Date: 12/30/02

By:   
Roberta L. Robins  
Registration No. 33,208  
On Behalf of ALL Attorneys of  
Record Pursuant to MPEP §402.05

ROBINS & PASTERNAK LLP  
545 Middlefield Road, Suite 180  
Menlo Park, CA 94025  
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# ROBINS & PASTERNAK LLP

ATTORNEYS AT LAW

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PATENT PREPARATION,  
PROSECUTION AND  
RELATED SERVICES

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December 30, 2002

COPY

Mr. Ronald Stotish  
Vice President, Research & Development  
MetaMorphix International, Inc.  
8510A Corridor Road  
Savage, MD 20763

**Re: MetaMorphix International, Inc. Cases**

**Our References: 9001-0034.01, 0034.21, 0035.01, 0042, 0042.01, 0048**

Dear Ron:

As I explained, we are petitioning to withdraw as attorneys on the above-identified matters in light of MetaMorphix's failure to provide full payment on bills dating back to February, 2002. Copies of the Petitions are enclosed. As soon as the Petitions are granted, we will return the files to you.

The upcoming due dates on these cases are as follows:

| Ref No.      | Serial No./Patent No. | Action  |
|--------------|-----------------------|---|
| 9001-0034.01 | 09/444,251            | Appeal Brief due 2/16/03 (last day 7/16/03)                       |
| 9001-0034.21 | 6,037,321             | Maintenance Fee due 9/14/04                                       |
| 9001-0035.01 | 10/302,739            | Application filed 11/22/02, awaiting Notice to File Missing Parts |
| 9001-0042    | 6,369,201             | Maintenance Fee due 10/9/04                                       |
| 9001-0042.01 | 10/074,152            | Awaiting first Office Action                                      |
| 9001-0048    | 09/305,924            | A Continued Prosecution Application was filed 12/30/02            |

ROBINS & PASTERNAK LLP

ATTORNEYS AT LAW

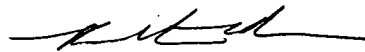
Mr. Ronald Stotish  
December 30, 2002  
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In light of the upcoming deadlines, we strongly recommend you take immediate steps to engage new patent counsel to assist you with these matters.

Although we intend to withdraw as your attorneys, we still, of course, expect full payment of the balance owed us. As you know, a substantial amount due is for out-of-pocket expenses, such as fees paid to the United States Patent and Trademark Office.

I wish you and MetaMorphix success in the future.

Very truly yours,



Roberta L. Robins

RLR/gw  
Enclosures